

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FOREST HILLS DEVELOPERS, INC.

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ALLEGED VIOLATION OF KRS 278.160

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) CASE NO. 93-182  
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O R D E R

On December 23, 1992, Forest Hills Developers, Inc. ("Forest Hills") submitted an application to increase its rates pursuant to the Commission's alternative rate filing procedure for small utilities.<sup>1</sup> The rate increase request case was automatically dismissed on May 4, 1993 when Forest Hills did not timely respond to an Order requiring Forest Hills to adequately respond to two information requests submitted by intervenors.

During its review of Case No. 92-561, the Commission determined that Forest Hills was charging some customers rates that do not appear to be reflected in the tariff it filed with the Commission.

Accordingly, the Commission finds that a prima facie case has been established that Forest Hills is charging and collecting untariffed rates in violation of KRS 278.160.

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<sup>1</sup> Case No. 92-561, The Application of Forest Hills Developers, Inc., Sewage Treatment Plant Division, for a Rate Adjustment.

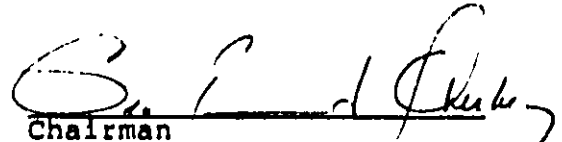
IT IS THEREFORE ORDERED that:

1. A. B. Schlatter, president of Forest Hills, shall appear at a hearing scheduled on June 17, 1993, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and be prepared to show cause why Forest Hills should not be penalized pursuant to KRS 278.990 for failing to comply with KRS 278.160.

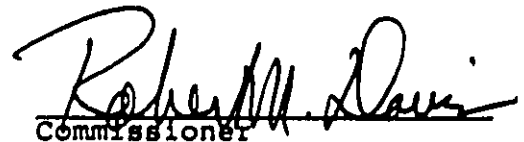
2. Forest Hills shall immediately stop charging and collecting any rates that are not reflected in its tariff on file with the Commission.

Done at Frankfort, Kentucky, this 14th day of May, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director